

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRAVELERS PROPERTY CASUALTY COMPANY
OF AMERICA a/s/o Ethical Culture Fieldston School
and Ethical Culture Fieldston,

07CV11178

**ANSWER TO
CROSS-CLAIMS**

Plaintiffs,

- against -

TISHMAN CONSTRUCTION CORPORATION
OF NEW YORK, JOHN CIVETTA & SONS, INC.,
AMBROSINO, DEPINTO, SCHMIEDER
CONSULTING ENGINEERS, P.C., MUNOZ
ENGINEERING & LAND SURVEYING, P.C.,
COOPER, ROBERTSON & PARTNERS, LLP,
and LANGAN ENGINEERING AND
ENVIRONMENTAL SERVICES, INC.

Defendants.

-----X

DEFENDANT, JOHN CIVETTA & SONS, INC., (“CIVETTA”) by and through its attorneys
RUBIN, FIORELLA & FRIEDMAN LLP, as and for its answer to the cross-claims of Co-Defendant
Tishman Construction Company of New York, dated March 4, 2008, alleges upon information and
belief, as follows:

ANSWERING THE FIRST CROSS-CLAIM

1. Denies each and every allegation contained in the paragraph of the cross-claim designated “10”, as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.
2. Denies each and every allegation contained in the paragraph of the cross-claim designated “11”, as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

ANSWERING THE SECOND CROSS-CLAIM

3. Denies each and every allegation contained in the paragraph of the cross-claim designated "12", as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

4. Denies each and every allegation contained in the paragraph of the cross-claim designated "13", as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

ANSWERING THE THIRD CROSS-CLAIM

5. Denies each and every allegation contained in the paragraph of the cross-claim designated "14", as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

6. Denies each and every allegation contained in the paragraph of the cross-claim designated "15", as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

ANSWERING THE FOURTH CROSS-CLAIM

7. Denies each and every allegation contained in the paragraph of the cross-claim designated "16", as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

8. Denies each and every allegation contained in the paragraph of the cross-claim designated "17", as they refer to this Defendant, and denies knowledge and information sufficient to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

9. Denies each and every allegation contained in the paragraph of the cross-claim designated "18", as they refer to this Defendant, and denies knowledge and information sufficient

to form a belief on to the truthfulness of the allegations therein, as they refer to any other Defendant.

WHEREFORE, JOHN CIVETTA & SONS, INC., demands judgment dismissing the complaint herein as against it and further demands that the ultimate rights of this defendant and the co-defendants TISHMAN CONSTRUCTION CORPORATION OF NEW YORK, AMBROSINO, DEPINTO, SCHMIEDER CONSULTING ENGINEERS, P.C., MUNOZ ENGINEERING & LAND SURVEYING, P.C., COOPER, ROBERTSON & PARTNERS, LLP, and LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC., as between themselves, be determined, and that JOHN CIVETTA & SONS, INC., have judgment against these co-defendants for all, or that portion of any verdict or judgment which may be obtained herein by the plaintiff against this answering defendant to the extent that the responsibility of the co-defendants contributed to plaintiff's loss, together with the costs and disbursements of this action.

Dated: New York, New York
March 10, 2008

Yours truly,

RUBIN FIORELLA & FRIEDMAN, LLP,



By: Patrick J. Corbett Esq.
RUBIN, FIORELLA & FRIEDMAN LLP
Attorneys For John Civetta & Sons, Inc.
292 Madison Avenue, 11th Floor
New York, NY 10017
(212) 953-2381
Our File No.: 587-10174

To: Robert C. Sheps, Esq.
Sheps Law Group, P.C.
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(212) 422-0202

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

DENISE FELICIANO, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides in Merrick , New York.

That on the 10th day of March, 2008, deponent served the within **ANSWER TO CROSS-**

CLAIMS via Regular Mail upon:

Robert C. Sheps, Esq.
Sheps Law Group, P.C.
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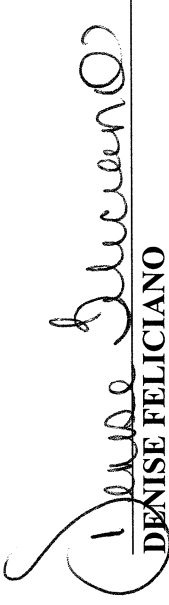
in this action at the address designated by said attorneys for that purpose by depositing same enclosed
in a post-paid properly addressed wrapper, in an office depository under the exclusive care and
custody of the United States Postal Service within the State of New York.

Sworn to before me this
10th day of March 2008



Notary Public

SUSAN RYAN
Notary Public, State of New York
No. 43-4912244
Qualified in Richmond County
Commission Expires November 9, 20 09



DENISE FELICIANO

Index No.: 07CV11178
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TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA
a/s/o Ethical Culture Fieldston School and Ethical Culture Fieldston,

Plaintiff(s),

-against-

TISHMAN CONSTRUCTION CORPORATION OF NEW YORK,
JOHN CIVETTA & SONS, INC., AMBROSINO, DEPINTO, SCHMIEDER
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LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC,

Defendant(s).

ANSWER TO CROSS-CLAIMS

RUBIN, FIORELLA & FRIEDMAN LLP

Attorneys for Defendant -
JOHN CIVETTA & SONS, INC
Office and Post Office Address
292 Madison Avenue
New York NY 10017
212-953-2381

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: _____

Signature _____

PLEASE TAKE NOTICE

☐ that the within is a (certified) true copy of a
Notice of
Entry

entered in the office of the clerk of the within named Court on

☐ that an Order of which the within is a true copy will be presented for settlement to the
Notice of
Settlement

Hon. one of the judges of the within named Court,
at
on